

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

CATHY MARIE BRENTZEL,)
)
ESTATE OF ROBERT C. HACKER)
)
)
Plaintiffs) Case No. 1:20-cv-1055-TSE-MSN
)
v.)
)
AIG PROPERTY CASUALTY COMPANY,)
)
Defendant.)
)

AFFIDAVIT OF JAMES R. TATE

- A. I am counsel for Plaintiffs Cathy Marie Brentzel and the Estate of Robert C. Hacker.
- B. The following Exhibits to Plaintiffs' Brief in Opposition to the Defendant's Motion for Summary Judgment are believed to be true and accurate copies of what they purport to be:
 - Exhibit 1. 2015-16 "Personal Insurance Program" (extracts)
 - Exhibit 2. AIG 10-K – February 28, 2008 (cover pages)
 - Exhibit 3. AIG 10-K – February 29, 2021 (cover pages)
 - Exhibit 4. Nankin and Schmidt, *History of U.S. Government Bailouts*
 - Exhibit 5. AIG 10-K – February 15, 2019 (four extracts)
 - Exhibit 6. Fairfax Transfer Delivery Tickets and Invoices
 - Exhibit 7. Criminal Docket – Thomas Dougalewicz
 - Exhibit 8. 9/30/16 – Michael Tress Letter to Cathy Marie Brentzel
 - Exhibit 9. 11/1/16 – Michael Tress Letter to Cathy Marie Brentzel

Exhibit 10. 11/22/16 – Robert Yates Letter to Michael Tress

Exhibit 11. 2/21/17 – Jeffrey McFadden Letter to Robert Yates

Exhibit 12. 10/2/17 – Michael Tress Letter to Robert Yates

Exhibit 13. 11/21/17 – Robert Yates Letter to Jeffrey McFadden

Exhibit 14. 11/30/17 – Jeffrey McFadden Letter to Robert Yates

Exhibit 15. 4/8/18 – Jeffrey McFadden Letter to Robert Yates

Exhibit 16. 9/13/19 – Jeffrey Grossman Denial Letter to Cathy Marie Brentzel

Exhibit 17. 12/29/16 – Yates Complaint #1

Exhibit 18. 11/17/17 – Non-Suit Order #1

Exhibit 19. 2/4/20 – AIG motion to dismiss Complaint #2 (filed on 5/19/18)

Exhibit 20. 2/7/20 – denial of AIG motion to dismiss Complaint #2; Non-Suit Order #2

Exhibit 21. Cathy Marie Brentzel deposition 2/28/18 – extracts

Exhibit 22. Cathy Marie Brentzel deposition 1/29/21 – description of David Lamonde

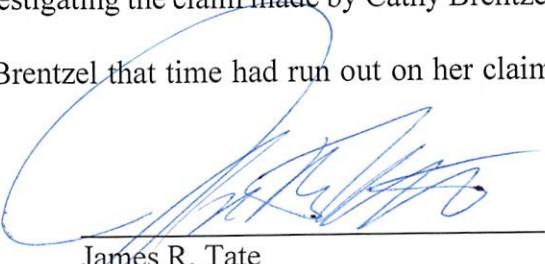
Exhibit 23. Robert Yates deposition 2/12/21 – description of the “losses committee”

Exhibit 24. *Brentzel v. Fairfax Transfer* (No. 1:20-cv-01076-TSE-MSN) 30(b)(6) Notice

C. On February 4, 2021 I appeared remotely with counsel for Fairfax Transfer and Storage, Inc., Robert Worst, before Edward Smith, Chief Mediator for the United States Court of Appeals for the Fourth Circuit. The Mediator suggested, and counsel for Plaintiffs and Defendant agreed, that Plaintiffs would take a Rule 30(b)(6) deposition of Fairfax Transfer and Storage. That deposition is currently set to be held remotely on March 9, 2021. On February 26, 2021, Magistrate Judge Nachmanoff granted Plaintiffs’ Motion to Extend Discovery in the case of *Brentzel v. A.I.G.* in part to allow discovery resulting from the March 9, 2021 30(b)(6) deposition of Fairfax Transfer. Exhibit 6 herein is a Fairfax

Transfer Document containing copies of delivery tickets and invoices from Fairfax Transfer's records as set forth in footnote 5 on page 4 of our brief.

- D. Thomas Joseph Dougalewicz, an employee of Fairfax Transfer, ultimately entered into a plea agreement in the Superior Court of the District of Columbia on January 22, 2016 and pled guilty to Theft Second Degree.
- E. Cathy Brentzel mobilized her household staff and friends to assist her in trying to meet the demands of AIG. They contacted vendors and searched for, and produced, receipts to verify the valuation of her missing items.
- F. At no time in the record of A.I.G.'s investigating the claim made by Cathy Brentzel is there evidence of A.I.G.'s notifying Cathy Brentzel that time had run out on her claim; or that time was about to run on her claim.


James R. Tate
Counsel for Plaintiffs

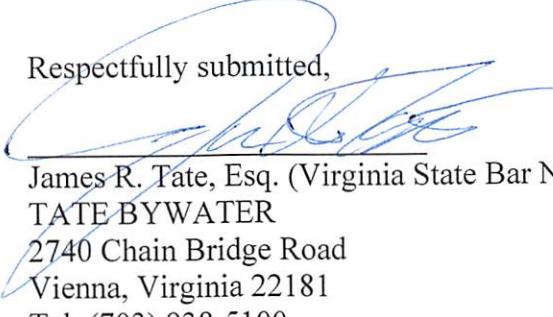
Sworn and subscribed to before me this 4th day of day of March, 2021.


Notary Public

My commission expires: 8/31/2023



Respectfully submitted,


James R. Tate, Esq. (Virginia State Bar No. 6241)

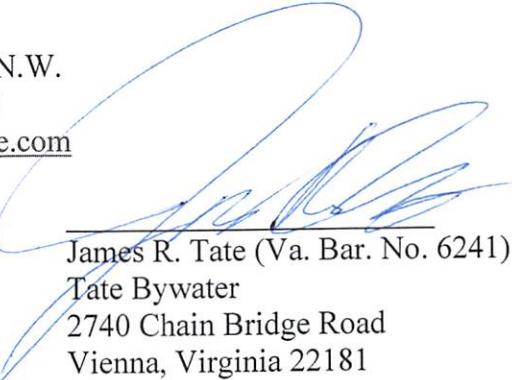
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Counsel for Plaintiffs Cathy Marie Brentzel and Estate of Robert C. Hacker

CERTIFICATE OF SERVICE

I certify that on March 4, 2021, I caused the foregoing to be served by electronic mail and first-class mail, postage prepaid, to:

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